



REGISTRAR OF REGULATIONS

08 JUN 25 AM 11:34

COMMONWEALTH of VIRGINIA

Department of Health DIVISION OF SHELLFISH SANITATION

109 Governor Street, Room 614-B
Richmond, VA 23219

Ph: 804-864-7487

Fax: 804-864-7481

NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 088-139, CHERRYSTONE INLET

EFFECTIVE 8 JULY 2008

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §2.2-4002, B.16 of the *Code of Virginia*.

1. The "Notice and Description of Shellfish Area Condemnation Number 088-139, Cherrystone Inlet," effective 5 July 2007, is cancelled effective 8 July 2008.
2. Condemned Shellfish Area Number 088-139, shown as Sections A, B, C and D, is established effective 8 July 2008. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas, for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Cherrystone Inlet, Condemned Shellfish Area Number 088-139, 8 July 2008" which is part of this notice.
3. Seasonally Condemned Shellfish Area Number 088-139, shown as Section M1, is hereby established effective 8 July 2008, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It is unlawful for any person, firm or corporation to take shellfish from this area during such period for any purpose, except by permit granted by the Marine Resources Commission, as provided in §28.2-810 of the *Code of Virginia*. The boundaries of this area are shown on the map titled "Cherrystone Inlet, Condemned Shellfish Area Number 088-139, 8 July 2008" which is part of this notice.
4. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 088-139

- A. The condemned area shall include that portion of Kings Creek and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (37°16'52.0", -75°59'56.2") and map coordinate (37°16'45.0", -75°59'56.5").
- B. The condemned area shall include all of Remus Creek and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (37°18'41.7", -76°00'44.6") and map coordinate (37°18'35.9", -76°00'48.2").

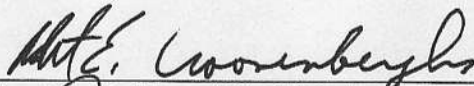


Protecting You and Your Environment

www.vdh.virginia.gov/shellfish


- C. The condemned area shall include that portion of Cherrystone Inlet and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (37°19'32.5", -75°59'41.7") and map coordinate (37°19'28.5", -75°59'23.4").
- D. The condemned area shall include that portion of Eyrehall Creek and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (37°18'37.4", -75°59'16.9") and map coordinate (37°18'34.6", -75°59'18.4").
- M1. The condemned area shall include that portion of Kings Creek and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (37°16'58.0", -76°00'38.9") and map coordinate (37°16'54.7", -76°00'38.5"); and downstream of a line drawn between map coordinate (37°16'51.0", -76°00'20.8") and map coordinate (37°16'41.6", -76°00'19.9").

Recommended by:



Director, Division of Shellfish Sanitation

Ordered by:



State Health Commissioner

6/23/08

Date

Virginia Department of Health
Cherrystone Inlet
Condemned Shellfish Area 088-139
8 July 2008

0 2,500 5,000
Feet

